

REMARKS

This is in response to the Official Action of August 1, 2003. Reconsideration and allowance is requested.

The specification has been amended to overcome the rejections to the wording, it is respectfully believed.

Claims 7, 10, 11, 13 and 14 were rejected as being anticipated by the Gaschke Patent No. 5,748,007.

This rejection of claim 7, and its dependent claims 10, 11, 13 and 14 is hereby respectfully traversed. The Examiner stated that Gaschke had a clamping cover 60 mounted on a moveable frame for movement from a position overlying the contacts to a position permitting access to the contacts.

However, the rejection is respectfully traversed, in that claim 7 includes a pivotally mounted clamping cover on a movable frame for providing access to the contacts. There is no clamping cover in Gaschke that is pivotally mounted onto the frame 60. The cover 60 is not a clamping cover that is pivotally mounted to a frame. Cover 60 does slide relative to the base on the posts 35 in a vertical direction. That is the only movement that the frame 60 has. The Examiner in the rejections of claims 1-5 and 16-20 points to the members 80 as being the pivotal mounting, but they are merely pins for the cams 70. There is no cover disclosed in Gaschke that is pivotally mounted to the sliding frame and which can be pivoted from a position "overlying the contacts to a position permitting access to the contacts" as called for in claim 7.

That clamping cover in claim 7 is pivotally mounted right on the moveable frame and provides for a distinct advantage in loading and unloading circuit chips into the frame. Clamping the circuit chips in place is accomplished by closing the cover. The cover is mounted on the frame that moves under urging of the provided cam, and thus the cover of claim 7 not only makes loading easier, but insures good seating between the circuit and the contacts on the sockets. It thus has a compound action of providing access using the pivoting cover with the ability to

close the cover so that it overlies the contacts, and then in turn the cam operator for the movable frame causes the cover to be moved to bear against or be clamped onto the circuit being tested. This insures that there is adequate force for clamping the contacts together so that the circuit will be powered and controlled properly.

The Gaschke patent shows a sliding frame with a cam actuator, it is admitted, but in the drawings 4A-4C, it can be seen how the member 110 called a "module" has to be placed into position under side flanges, tilting it and slipping it under the flanges, after which the cam operators can be used for clamping down the flanges onto the module 110.

In the present invention, the cover can be raised, the circuit put into place, the cover closed, and then the cams can be operated to bring the cover down onto the circuit for secure contact with the test connectors. Thus, favorable action on claims 7 and its dependent claims 10, 11, 13 and 14 is believed appropriate.

Likewise, the rejections of claims 1-5 and 16-20 as being unpatentable over Gaschke is respectfully traversed. Gaschke does not show a hinged cover of any kind. The item 60 is not of size to overlie the center portions of the frame as shown in Figures 4A, 4B and 4C of Gaschke, for example, as well as Figures 5A, 5B, and 5C. There are edge members that are made to barely engage the module 110, and certainly do not pivot to permit insertion of the modules. Gaschke does have a cam actuator for operating a frame, but the missing point is the hinged cover that is carried by the frame itself, as claimed herein. Both claims 1 and 16 have the feature of the pivoting cover, which clearly distinguishes from Gaschke.

It is thus respectfully believed that claims 1 and 16, and their dependent claims are also clearly allowable.

It is also respectfully believed that the citation of Conroy Patent No. 6,514,097 is not a proper citation, and that it is not prior art. The Conroy Patent No. 6,514,097 is to the same

inventor as the present application. It does not show an invention by "another", even though it has an earlier filing date.

Further, the present application and the Conroy patent are owned by the same company, Micro Control Company, and that was the case at the time the invention was made. The ownership of Patent No. 6,514,097 is shown on its face, and the Assignment of the present application is recorded at Reel 12496, Frame 345.

Such a commonly owned patent is not prior art under 35 U.S.C. § 103(c). It is therefore believed claim 8, 9 and 12 are allowable with their parent claims.

Claim 15 was rejected on a combination of Gaschke and the Murphy patent. However, it is believed claim 15 is allowable with claim 7.

Thus, it is respectfully submitted that the claims in the case are clearly allowable and action to that effect is respectfully requested.

Claim 6 was indicated as being allowable, but is not rewritten, pending allowance of its parent claims.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

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